



PTO/SB/51 (07-03)

REISSUE APPLICATION DECLARATION BY THE INVENTORDocket Number (Optional)
02307O-010111US

I hereby declare that:

Each Inventor's residence, mailing address and citizenship are stated below next to my name.

I believe the inventors named below to be the original and first inventor(s) of the subject matter which is described and claimed in patent number 6,406,853 granted June 18, 2002 with Certificate of Correction dated November 26, 2002, and for which a reissue patent is sought on the invention entitled Interventions To Mimic The Effects Of Calorie Restriction,

the specification of which



is attached hereto.

was filed on March 22, 2004 as reissue application number 10/807,554and was amended on _____
(If applicable)

I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56.



I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or (f), or 365(b). Attached is form PTO/SB/2B (or equivalent) listing the foreign applications.

I verily believe the original patent to be wholly or partly inoperative or invalid, for the reasons described below. (Check all boxes that apply.)



by reason of a defective specification or drawing.



by reason of the patentee claiming more or less than he had the right to claim in the patent.



by reason of other errors.

At least one error upon which reissue is based is described below. If the reissue is a broadening reissue, such must be stated with an explanation as to the nature of the broadening:

1. Some of the claims of the '853 patent encompass methods that are in the prior art. In particular, the claims that have no limitation as to the length of the calorie restricted diet or the time period required for changes in gene expression level (claims 1-8 and 14-19) encompass prior art of record such as WO 01/12851.

2. A second inventor, Joseph M. Dhahbi, was inadvertently omitted when filing the application.

(REISSUE APPLICATION DECLARATION BY THE INVENTOR, page 2)					Docket Number (Optional) 023070-010111US	
All errors corrected in this reissue application arose without any deceptive intention on the part of the applicant.						
Note: To appoint a power of attorney, use form PTO/SB/81.						
Correspondence Address: Direct all communications about the application to: _____						
Correspondence Address: Direct all communications about the application to:						
<input checked="" type="checkbox"/> Customer Number		20350				
OR						
<input type="checkbox"/> Firm or Individual Name						
Address						
Address						
City		State		ZIP		
Country						
Telephone		Fax				
I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine and imprisonment, or both, under 18 U.S.C. 1001, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this declaration is directed.						
Full name of sole or first inventor (given name, family name)						
Stephen R. Spindler						
Inventor's signature				Date		
Residence Riverside, California				Citizenship United States		
Mailing Address 6475 Vickers Drive, Riverside, CA 92504						
Full name of second joint inventor (given name, family name)						
Joseph M. Dhahbi						
Inventor's signature				Date		
Residence Alameda, California				Citizenship United States		
Mailing Address 851 West Midway Avenue, Alameda, CA 94501						
Full name of third joint inventor (given name, family name)						
Inventor's signature <i>Joseph Dhahbi</i>				Date <i>8-18-05</i>		
Residence				Citizenship		
Mailing Address						
<input type="checkbox"/> Additional joint inventors or legal representative(s) are named on separately numbered sheets forms PTO/SB/02A or 02LR attached hereto.						

**REISSUE APPLICATION DECLARATION BY THE INVENTOR**Docket Number (Optional)
02307O-010111US

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1. Some of the claims of the '853 patent encompass methods that are in the prior art. In particular, the claims that have no limitation as to the length of the calorie restricted diet or the time period required for changes in gene expression level (claims 1-8 and 14-19) encompass prior art of record such as WO 01/12851.

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I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine and imprisonment, or both, under 18 U.S.C. 1001, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this declaration is directed.			
Full name of sole or first inventor (given name, family name)			
Stephen R. Spindler			
Inventor's signature 		Date 9/26/05	
Residence Riverside, California		Citizenship United States	
Mailing Address 6184 Omega Street, Riverside, CA 92506			
Full name of second joint inventor (given name, family name)			
Joseph M. Dhahbi			
Inventor's signature		Date	
Residence Alameda, California		Citizenship United States	
Mailing Address 851 West Midway Avenue, Alameda, CA 94501			
Full name of third joint inventor (given name, family name)			
Inventor's signature		Date	
Residence		Citizenship	
Mailing Address			
<input type="checkbox"/> Additional joint inventors or legal representative(s) are named on separately numbered sheets forms PTO/SB/02A or 02LR attached hereto.			



REISSUE APPLICATION: CONSENT OF ASSIGNEE; STATEMENT OF NON-ASSIGNMENT		Docket Number (Optional) 023070-010111US
This is part of the application for a reissue patent based on the original patent identified below.		
Name of Patentee(s) SPINDLER, Stephen R. and DHAHBI, Joseph M.		
Patent Number 6,406,853	Date Patent Issued June 18, 2002	
Title of Invention INTERVENTIONS TO MIMIC THE EFFECTS OF CALORIE RESTRICTION		
<p>1. <input checked="" type="checkbox"/> Filed herein is a certificate under 37 CFR 3.73(b). (Form PTO/SB/96)</p> <p>2. <input type="checkbox"/> Ownership of the patent is in the inventor(s), and no assignment of the patent is in effect.</p> <p>One of boxes 1 or 2 above must be checked. If multiple assignees, complete this form for each assignee. If box 2 is checked, skip the next entry and go directly to "Name of Assignee".</p> <p>The written consent of all assignees and inventors owning an undivided interest in the original patent is included in this application for reissue.</p>		
The assignee(s) owning an undivided interest in said original patent is/are <u>The Regents of the University of California</u> , and the assignee(s) consents to the accompanying application for reissue.		
Name of assignee/inventor (if not assigned) The Regents of the University of California		
Signature <i>Linda S. Stevenson</i>	Date <i>October 9, 2005</i>	
Typed or printed name and title of person signing for assignee (if assigned) Linda S. Stevenson, Manager - Patent Prosecution		

This collection of information is required by 37 CFR 1.172. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 6 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2

**STATEMENT UNDER 37 CFR 3.73(b)**Applicant/Patent Owner: The Regents of the University of CaliforniaApplication No./Patent No.: 6,406,853Filed/Issue Date: June 18, 2002Entitled: INTERVENTIONS TO MIMIC THE EFFECTS OF CALORIE RESTRICTIONThe Regents of the University of California, a University

(Name of Assignee)

(Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

1. ☒ the assignee of the entire right, title, and interest; or
2. ☐ an assignee of less than the entire right, title and interest.
The extent (by, percentage) of its ownership interest is _____%

in the patent application/patent identified above by virtue of either:

- A. ☒ An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel 011973, Frame 0405, AND for which a copy thereof is attached.

OR

- B. ☐ A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as shown below:

1. From: _____ To: _____

The document was recorded in the United States Patent and Trademark Office at
Reel _____, Frame _____, or for which a copy thereof is attached.

2. From: _____ To: _____

The document was recorded in the United States Patent and Trademark Office at
Reel _____, Frame _____, or for which a copy thereof is attached.

3. From: _____ To: _____

The document was recorded in the United States Patent and Trademark Office at
Reel _____, Frame _____, or for which a copy thereof is attached.☐ Additional documents in the chain of title are listed on a supplemental sheet.

- ☒ Copies of assignments or other documents in the chain of title are attached.

[NOTE: A separate copy (i.e., the original assignment document or a true copy of the original document) must be submitted to Assignment Division in accordance with 37 CFR Part 3, if the assignment is to be recorded in the records of the USPTO. See MPEP 302.8]

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

October 9, 2005

Date

510-587-6000

Telephone number

Linda L. Stevenson

Typed or printed name

Linda L. Stevenson

Signature

Manager, Patent Prosecution

Title

ASSIGNMENTU.C. Case No. 2000-178-2

For good and valuable consideration, the receipt of which is hereby acknowledged, ASSIGNOR(S),

1. Stephen R. Spindler 2. Joseph M. Dhahbi
 3. _____ 4. _____

hereby sells, assigns and transfers to ASSIGNEE, The Regents of the University of California, a California Corporation, having its statewide administrative offices located 1111 Franklin St., 12th Floor, Oakland, CA 94607-5200, and the successors, assigns and legal representatives of the ASSIGNEE all of its right, title and interest for the United States and its territorial possessions and in all foreign countries in and to, any and all improvements which are disclosed in the invention entitled:

INTERVENTIONS TO MIMIC THE EFFECTS OF CALORIE RESTRICTION

and which is found in

- (a) _____ U.S. provisional application filed herewith and listing the above-named persons as inventors
 (b) _____ U.S. patent application filed herewith and listing the above-named persons as inventors
 (c) XXX U.S. application serial no. 10/807,554, filed on March 22, 2004
 (application for reissue of U.S. Patent No. 6,406,853 granted June 18, 2002)
 (d) _____ U.S. Patent No.: _____, issued _____

and any legal equivalent thereof in a foreign country, including the right to claim priority and, in and to, all Letters Patent to be obtained for said invention by the above application or any continuation, division, continuation-in-part, extension, conversion to 35 USC 111(a) or substitute thereof, and any reissue, reexamination or extension of said Letters Patent and all rights under all International Conventions for the Protection of Industrial Property;

ASSIGNOR(S) hereby covenants that no assignment, sale, agreement or encumbrance has been or will be made or entered into which would conflict with this assignment;

ASSIGNOR(S) further covenants that ASSIGNEE will, upon its request, be provided promptly with all pertinent facts and documents relating to said invention and said Letters Patent and legal equivalents as may be known and accessible to ASSIGNOR and will testify as to the same in any interference, litigation, or proceeding relating thereto and will promptly execute and deliver to ASSIGNEE or its legal representative any and all papers, instruments or affidavits required to apply for, obtain, maintain, issue or enforce said application, said invention and said Letters Patent and said equivalents thereof which may be necessary or desirable to carry out the purposes thereof. An attorney of record is authorized and requested by the execution of this assignment to insert into this assignment the filing date and serial number of said application when officially known.

AND the ASSIGNOR(S) requests the Commissioner of Patents and Trademarks to issue said Letters Patent of the United States and any reissue or extension thereof to the ASSIGNEE, The Regents of the University of California.

executed this

Signature of Inventor(s)

_____ day of _____, 20__

Stephen R. Spindler

18th day of August, 2005

Joseph M. Dhahbi
 Joseph M. Dhahbi

DO NOT RECORD